



Corres en la vía  
**BOX AF**

Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Examining Group 2828

AF 2800  
#12  
2800

PATENT  
ATTORNEY DOCKET NO.: 041514-5106

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Shinichi TAKAHASHI et al.

Application No.: 09/770,673

Filed: January 29, 2001

For: OPTICAL PICKUP APPARATUS  
AND LASER DIODE CHIP

Commissioner of Patents  
Washington, D.C. 20231

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BOX AF

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Group Art Unit: 2828

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Examiner: J. Menefee

TECHNOLOGY CENTER 2800

RECEIVED  
FEB 27 2003

Sir:

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 23, 2002, finally rejecting claims 1-5.

1. Extension of Time

Applicants respectfully request a two (2) month extension of time to respond to the outstanding rejections, the fee of \$410.00 is to be charged to our Deposit Account No. 50-0310, extending the period for response to February 24, 2003 (February 23, 2003 being a Sunday).

2. Notice of Appeal Fee - 37 C.F.R. § 1.17(b)

The fee in the amount of \$320.00 to cover the appeal fee is enclosed.

The Commissioner is authorized to charge the appeal fee of \$320.00 to Deposit Account No. 50-0310.

3. Constructive Petition

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



Paul A. Fournier  
Reg. No. 41,023

Dated: February 24, 2003

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